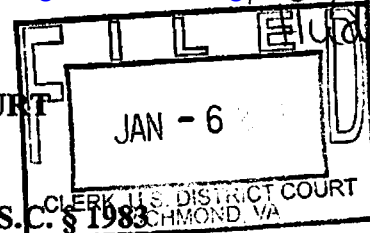


IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

COMPLAINT UNDER CIVIL RIGHTS ACT 42 U.S.C. § 1983



Action Number 3:21cv004
(To be supplied by the Clerk, U.S. District Court)

Please fill out this complaint form completely. The Court needs the information requested in order to assure that your complaint is processed as quickly as possible and that all your claims are addressed. Please print/write legibly or type.

I. PARTIES

A. Plaintiff:

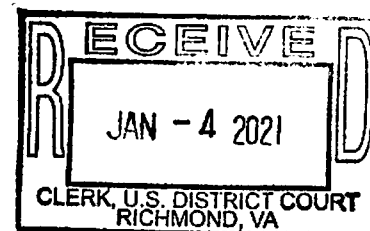
1. (a) Kareem Akeem Olatunwo, Sr. (b) 3/261
(Name) Richmond City Justice Center (Inmate number)
(c) 1701 Fairfield Way
(Address)
Richmond, Virginia. 23223

Plaintiff MUST keep the Clerk of Court notified of any change of address due to transfer or release. If plaintiff fails to keep the Clerk informed of such changes, this action may be dismissed.

Plaintiff is advised that only persons acting under the color of state law are proper defendants under Section 1983. The Commonwealth of Virginia is immune under the Eleventh Amendment. Private parties such as attorneys and other inmates may not be sued under Section 1983. In addition, liability under Section 1983 requires personal action by the defendant that caused you harm. Normally, the Director of the Department of Corrections, wardens, and sheriffs are not liable under Section 1983 when a claim against them rests solely on the fact that they supervise persons who may have violated your rights. In addition, prisons, jails, and departments within an institution are not persons under Section 1983.

B. Defendant(s):

1. (a) Dr. O'Fagh, et, al. (b) Owner/medico PC
(Name) Richmond City Justice Center (Title/Job Description)
(c) 1701 Fairfield Way
(Address)
Richmond, Virginia. 23223



2. (a) Dr. Stuart Broth (b) Dentist / mediko PC
 (Name) Richmond City Justice Center (Title/Job Description)
 (c) 1701 Fairfield Way
 (Address)
Richmond, Virginia. 23223
3. (a) Dixie Delutis (b) Health Service Adm. / mediko PC
 (Name) Richmond City Justice Center (Title/Job Description)
 (c) 1701 Fairfield Way
 (Address)
Richmond, Virginia. 23223 (Note:)
 "Please see additional defendants next page".

If there are additional defendants, please list them on a separate sheet of paper. Provide all identifying information for each defendant named.

Plaintiff MUST provide a physical address for defendant(s) in order for the Court to serve the complaint. If plaintiff does not provide a physical address for a defendant, that person may be dismissed as a party to this action.

II. PREVIOUS LAWSUITS

- A. Have you ever begun other lawsuits in any state or federal court relating to your imprisonment? Yes [] No [☒]
- B. If your answer to "A" is Yes: You must describe any lawsuit, whether currently pending or closed, in the space below. If there is more than one lawsuit, you must describe each lawsuit on another sheet of paper, using the same outline, and attach hereto.

1. Parties to previous lawsuit:

Plaintiff(s) _____
 Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county):

3. Date lawsuit filed: _____

4. Docket number: _____

1. B. Defendant (C)

(Attachment :)

4. (a) Kyla Brown, RN (b) Mediko PC Director of Nursing
 (Name)
 (c) Richmond City Justice Center (Title/Job Description)
 (Address)
 1701 Fairfield Way
 Richmond, Virginia. 23223
5. (a) J. Womack (b) LT., /Mediko PC Liaison
 (Name)
 (c) Richmond City Justice Center (Title/Job Description)
 (Address)
 1701 Fairfield Way
 Richmond, Virginia. 23223
6. (a) Antionette Irving (b) Sheriff/Head of Jail
 (Name)
 (c) Richmond City Justice Center (Title/Job Description)
 (Address)
 1701 Fairfield Way
 Richmond, Virginia. 23223
7. (a) B. Hunt (b) Major/Supervisor of Jail operations
 (Name)
 (c) Richmond City Justice Center (Title/Job Description)
 (Address)
 1701 Fairfield Way
 Richmond, Virginia. 23223
8. (a) Harold M. Clarke (b) ^{Director} Virginia Department of Corr.
 (Name)
 (c) Department of Corrections (Title/Job Description)
 (Address)
 P.O. Box 26963
 Richmond, Virginia. 23268

P. B. Defendant (S)

(Attachment)

9. (a) Mark Herring (b) Attorney General
(Name)
(c) 202 N. 9th St Title/Job Description
Richmond, Virginia. 23229

10. (a) Lever Stoney (b) Mayor of Richmond, Virginia
(Name)
(c) 900 E. Broad St, Suite 201 Title/Job Description
(Address)
Richmond, Virginia. 23219

5. Name of Judge to whom case was assigned: N/A

6. Disposition (Was case dismissed? Appealed? Is it still pending? What relief was granted, if any?) :

N/A

III. GRIEVANCE PROCEDURE

A. At what institution did the events concerning your current complaint take place:

Richmond City Justice Center

B. Does the institution listed in "A" have a grievance procedure? Yes [☒] No [☐]

C. If your answer to "B" is Yes:

1. Did you file a grievance based on this complaint? Yes [☒] No [☐]

2. If so, where and when: Richmond City Justice Center, [REDACTED]
(note) "Please see attached exhibits" 1-17

3. What was the result? Negative

4. Did you appeal? Yes [☒] No [☐]

5. Result of appeal: The 1st/2 response on my grievance was delayed. "Please see exhibit no. 7", or denied.

D. If there was no prison grievance procedure in the institution, did you complain to the prison authorities? Yes [☒] No [☐]

If your answer is Yes, what steps did you take? Capt. Malone, Deputy Bailey,

Deputy Leftwich, Nurse Davis and whomever the floor Deputy were.

E. If your answer is No, explain why you did not submit your complaint to the prison authorities:

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

1. Please (See Affix)" Statement of Claim

On each of the Defendant(s):

Statement on Dr. Ofagh, Defendant; Mediko PC:

IV.

Continue statement of the ClaimBreach of Contract :

Defendant Dr. Ofagh, is responsible for completely supervising and directing the work under his Contract with the Department of Corrections and Richmond City Justice Center Sheriff, and all subcontractor that he may utilize using his best skill and attention.

The rendering of Medical services to inmate's remains under the control of Defendant Dr. Ofagh, Mediko PC to assure the delivery of both routine and emergency health care services to all inmate's at all times here at the Richmond City Justice Center.

Defendant Dr. Ofagh, violate Plaintiff Eighth Amendment's prohibition of Cruel and Unusual Punishment, incorporated through the Fourteenth Amendment, as imposing a duty on states to provide medical care to incarcerated individuals. Plaintiff Medical Condition are serious and Defendant Dr. Ofagh, ~~intentionally~~ were deliberately indifferent to the Plaintiff Medical need. He fail to keep his Obligation to provide Adequately Medical Care under his Contract.

Defendant Dr. Ofagh, is in violation of Plaintiff Eighth Amendment, Cruel and unusual Punishment.

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (See Affix)" Statement of the Claim
on each of the Defendant(s):

Statement on Dr. Stuart Broth (Defendant) Mediko PC:

IV. Statement of Claim

Comes this day Kareem Akeem Olatunwo, Sr., herein after as "Plaintiff", bring's about this 42 U.S.C. 1983 Civil Action law suit against Mediko PC, et, al.,

Plaintiff, also bring suit against Antionette Irving, Richmond Sheriff et, al.; Harold W. Clarke, (Director For Department OF Corrections: Mark Herring, (Attorney General): Levar Stoney, (Mayor).

Each Defendant is being sued within their own individual capacity.

On January 22nd, 2019 Plaintiff, was called to the Office of Dr. Stuart Broth, (herein after as Defender);

Defender Broth, is a dentist at Richmond City Justice Center. This Visit to Defender Broth, Office came as a result of the Plaintiff complaining about pain, suffering and bleeding of the gum on the bottom right.

Upon this Visit Defender Broth, looked at the right side of Plaintiff mouth and did a xray, at which point he determined that tooth number thirty-one (31) was the cause of the blood around the gum.

Tooth number 31; was extracted on the above date.

On July 2nd, 2019 Plaintiff, Complained again that his mouth has'nt healed and Continuely to experience pain's from his blood gum.

(Continue) →

(Continue)

After Complaining for help for so long and receiving inadequately medical caring Plaintiff, reached out to Brent Solomon, 12 News anchor for out side support.

Mr. Solomon, made contact with Ms. Antionette Irving, Sheriff for Richmond City Justice Center.

On January 2nd, 2020 Defender Broth, Called the Plaintiff, to his Office and did a full xray of the Plaintiff, mouth and sent it to a out side Specialist.

On January 7th, 2020 Plaintiff, was transferred to Dr. Monrow, a dentist specialist who took xray's and performed a biopsy.

On or about January 16th, 2020 results came back and Plaintiff was called to Defender Broth, Office in which he had Defender Delutis, in the office as well to informed the Plaintiff, that he have "Cancer" of the Mouth.

Defender Broth, subjectively knew and disregarded the substantial risk of harm in which the delay of sending the Plaintiff to a out side specialist caused the bleeding to develop into Cancer, a more danger level that could've been prevented providing Defender Broth, wasn't deliberate indifference to Plaintiff serious medical need.

Defender Broth, failure to safe guard Plaintiff

(continue) →

health by denying proper medical procedure violate the Eighth and Fourteen Amendment.

Defender Broth, is in violation of (1.) Negligence or gross negligence; (2.) Intentional infliction of emotional distress; (3.) Pain and suffering; (4.) Medical Malpractice; (5.) Breach of Contract; (6.) Cruel and unusual Punishment, in violation of Section 9, Article 2, of the Constitution of Virginia and a violation of Plaintiff Constitutional Rights Under the Eight And Fourteen Amendment of the United States Constitution.

The Plaintiff, continually suffered from unnecessary and wanton infliction of pain's.

Plaintiff, was left disfigure and in pain's.

This end the statement of Claim on Defender Broth.

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (see Affix)" Statement of Claim

On each of the Defendant(s):

Statement on Dixie Delutis (Defendant) - Mediko
PC Health Service Admi:

IV.

Continue Statement of the ClaimDixie Delutis, Defendant

Breach of Contract; Defendant, breached the applicable standard of care in misdiagnosing the condition of the seriousness of bleeding inside Plaintiff mouth.

Her supervision of inadequately Medical Caring resulted in negligence or gross negligence; intentional infliction of emotional distress, Medical malpractice; Cruel and Unusual Punishment in violation of section 9, Article 1 of the Constitution of Virginia; and a violation of Plaintiff Constitutional rights Under the Eighth Amendment of the United States Constitution. Plaintiff, was subjective to Cruel and Unusual Punishment, Pain and suffering in violation of Plaintiff Constitutional rights under the Fourteenth Amendment of the United States Constitution.

Defendant, is Health service Administration head nurse for Mediko PC; and is directly responsible for completely supervising and directing the work load under her contract of nursing for Mediko PC; Department of Corrections and the Richmond City Justice Center Sheriff.

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (See Affix)" Statement of Claim
On each of the Defendant(s):

Statement on Kyla Brown, RN - Defendant & Medico
PC Director of Nursing:

IV.

Continue Statement of the ClaimKyla Brown, Defendant

Breach of Contract; Defendant, breached the applicable Standard of Care in misdiagnosing the condition of the seriousness of bleeding inside Plaintiff mouth.

Her supervision of inadequately medical caring resulted in negligence or gross negligence; intentional infliction of emotional distress, Medical malpractice, Cruel and unusual Punishment in violation of Section 9, Article 1 of the Constitution of Virginia; and a violation of Plaintiff Constitutional rights under the Eight Amendment of the United States Constitution. Plaintiff, was subjective to Cruel and unusual punishment, pain and suffering in violation of Plaintiff Constitutional rights under the Fourteenth Amendment of the United States Constitution. Defendant, is Director of Nursing for Mediko PC; and is directly responsible for completely supervising and directing the work load under her contract of nursing for Mediko PC; Department of Corrections and the Richmond City Justice Center Sheriff.

On 10-2-19 and 11-1-19 respective Defendant, personally told the Plaintiff that there was nothing else medical can do for him.

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (See Affix)" statement of claim
on each of the Defendant(s):

Statement on J. Womack, Lt; Defendant and Mediko
PC Liaison.

IV.

Continue statement of the ClaimBreach of Contract :

Defendant J. Womack, is lieutenant and Liaison deputy for Mediko PC., His primary responsibility is security and to investigate medical allegation and attempt to bring about some type of resolution on behalf of medical and the inmate.

Defendant Womack, is in violation of failing to safeguard or to get the Plaintiff adequately medical caring by taking reasonable measures to guarantee the safety of the Plaintiff health, in which at all times he was fully aware of the seriousness of Plaintiff bleeding.

Plaintiff, asked Defendant Womack, on 10-02-19 and on 11-01-19 respective along with Defendant Brown, about getting a second opinion. Defendant Womack, stated that he will talk to his supervisor.

Defendant Womack, action towards Plaintiff serious medical need is, ⁽¹⁾deliberately indifference, ⁽²⁾reckless indifference, ⁽³⁾negligence, ⁽⁴⁾gross negligence, ⁽⁵⁾willfull and wanton negligence, that shows an utter disregard of prudence amounting to complete neglect of the safety of Plaintiff serious medical need.

Defendant Womack, deliberate indifference to a substantial risk of serious harm to an inmate is cruel and unusual and violate the Eighth Amendment

Of the United States Constitution Defendant Monack
also violate the Fourteen Amendment under the Due
Process Clause.

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (see Affix)" Statement of Claim
on each of the Defendant(s):

Statement on Antionette Irving, Sheriff/Defendant

Continue Statement of the ClaimBreach of Contract

Antionette Irving, Sheriff/Defendant:

Defendant Irving, is Sheriff and head of Richmond City Justice Center. Her primary function is to staff and supervise employees to operate the facility, including employees of Medix PC.

Defendant Irving, is totally responsible for the care and well beings of each inmate.

She is obligated and responsible by contract to assure that each inmate receive proper housing and adequately medical treatment by the employees she hired to provide such service.

Defendant Irving, is in violation of the Eighth Amendment are being deliberate indifferent to a serious medical need.

Defendant Irving, is in violation of the Eighth and Fourteen Amendment, by continuing to allow the Plaintiff, to suffered cruel and unusual punishment.

Plaintiff, grievance #068375263 Exhibit (7) reached the level 2, stage in which is the ~~last~~ last stage on a institution level. This stage is where the Sheriff answered the final complaint.

Defendant Irving, was at all times aware of such

(Continue) →

Complaint's and delayed answering the grievance in which prolong more extensive pain and suffering.

This end the statement of fact on Defendant Irving.

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (See Affix)" Statement of Claim

On each of the Defendant(s):

Statement on R. Hunt, Major / Defendant

IV.

Continue Statement of the claimBreach of ContractR. Hunt, Major / Defendant

On July 2nd, and Sept. 4th, 2019 Plaintiff, came in contact with Defendant Hunt, in the hallway and explained to him that he is experiencing and receiving inadequately medical treatment by the dentist and employee's of Mediko. Plaintiff, explained that the bleeding in his mouth was getting worst and very painful.

Defendant, stated that he would look into it.

Defendant, negligence shows an utter disregard of prudence amounting to complete neglect of the safety of Plaintiff health and serious medical need.

Defendant Hunt, action was deliberate indifference to a substantial risk of serious harm to an inmate violate the Eighth Amendment to the United States Constitution. Defendant Hunt, is in violation of the Eighth and Fourteenth Amendment. (1) Breach of Contract; (2) Negligence or gross negligence; (3) Intentional infliction of emotional distress; (4) Pain and suffering; (5) Cruel and unusual punishment in violation of section 9, Article 1, of the Constitution of Virginia.

IV. STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (See Affix)" Statement of Claim
on each of the Defendant(s):

Harold W. Clarke, (Director for Department of corrections),

Plaintiff, suffered Cruel and unusual Punishment.
The Defendants of Mediko PC Breach their Contract
by failing to provide Adequately medical Caring.

Plaintiff, Eighth and Fourteen ~~Amendments~~ Amendment
of the United States Constitution, have been Violated.

Plaintiff, complaint from January 22nd, 2019 through
April 1st, 2020 about his bloody gum, Pain and Suffering
to the Defendants.

IV.

STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (see Affix)" statement of claim on each of the Defendant(s):

Mark Herring, (Attorney General)

STATEMENT OF THE CLAIM

State here the facts of your case. Describe how each defendant is involved and how you were harmed by their action. Also include the dates, places of events, and Constitutional amendments you allege were violated.

If you intend to allege several related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.

"Please (see Affix)" Statement of Claim
on each of the Defendant(s):

Lavar Stoney, (Mayor)

V. RELIEF

I understand that in a Section 1983 action the Court cannot change my sentence, release me from custody or restore good time. I understand I should file a petition for a writ of habeas corpus if I desire this type of relief. KAD (please initial)

The plaintiff wants the Court to: (check those remedies you seek)

- ☒ Award money damages in the amount of \$ 400,000,000.00
- ☒ Grant injunctive relief by Preventing the Defendant(s) from committing any arbitrary or Conspicuous behavior or Retaliation.
- ☒ Other Plaintiff seek \$ 200,000,000.00 for compensatory damages and \$ 200,000,000.00 for punitive damages for pain and suffering.

VI. PLACES OF INCARCERATION

Please list the institutions at which you were incarcerated during the last six months. If you were transferred during this period, list the date(s) of transfer. Provide an address for each institution.

Richmond City Justice Center

1701 Fairfield Way

Richmond, Virginia. 23223

VII. CONSENT

CONSENT TO TRIAL BY A MAGISTRATE JUDGE: The parties are advised of their right, pursuant to 28 U.S.C. § 636(c), to have a U.S. Magistrate Judge preside over a trial, with appeal to the U.S. Court of Appeals for the Fourth Circuit.

Do you consent to proceed before a U.S. Magistrate Judge: Yes [☒] No [☐]. You may consent at any time; however, an early consent is encouraged.

VIII. SIGNATURE

If there is more than one plaintiff, each plaintiff must sign for himself or herself.

Signed this 26th day of December, 2020.

Plaintiff Kareem Akeem Chapman, Sr.